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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,998	01/25/2002	Masaki Tsubokura	HITA.0154	7661

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EXAMINER

CHUNG, DAVID Y

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 09/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/054,998

Applicant(s)

TSUBOKURA ET AL.

Examiner

David Y. Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**1. Claims 1-3 rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al. (U.S. 6,590,626).**

As to claim 1, Suzuki et al. discloses a backlight for a liquid crystal display comprising a plurality of fluorescent light sources and shielding means arranged between adjacent light sources. Note in figure 1, the liquid crystal display panel 1, light guide plate 2, first and second fluorescent light pipes 3 and 4, and reflective light shielding member 5. Note in figure 2, the housing member 57 that houses the light guide plate and the fluorescent light sources.

As to claim 2, Suzuki et al. discloses a backlight for a liquid crystal display comprising a plurality of fluorescent light sources disposed on both sides of the light guide plate. See figure 3.

As to claim 3, the light shielding member of Suzuki et al. is reflective. Therefore, the surfaces of the light shielding member that face the respective light sources in an opposed manner form reflection surfaces.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 4 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (U.S. 6,590,626).**

As to claim 4, Suzuki et al. does not disclose that the reflective light shielding member is made of metal. However, it was well known and obvious to make a reflective light shielding member of metal because metal is a highly reflective material. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to make the light shielding member of Suzuki et al. of metal because of its high reflectivity.

As to claim 5, Suzuki et al. does not disclose making the housing member of metal. However, it was well known and obvious to make the housing member of metal

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because of its excellent thermal conductivity and structural integrity. This allowed the housing member to effectively dissipate heat from the light source while providing reliable protection against mechanical shock. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to make the housing member of Suzuki et al. of metal because of its excellent thermal conductivity and structural integrity.

***Response to Arguments***

**3. Applicant's arguments filed June 10, 2003 have been fully considered but they are not persuasive.**

Applicants have argued that Suzuki et al. does not teach or suggest shielding means arranged between adjacent light sources to prevent each light source from receiving light directly from any other light source. However, Suzuki et al. explicitly teaches that shield 8 in figure 1 is disposed so as to sufficiently shield the incoming light directly entering from the adjacent fluorescent tube. See column 3, lines 16-31.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Chung whose telephone number is (703) 306-0155. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:00 pm.

  
TOANTON  
PRIMARY EXAMINER

David Chung  
GAU 2871  
08/14/03